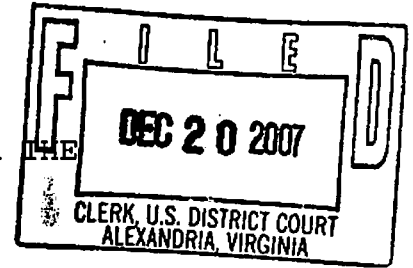


IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division



MARCUS HESSE, Guardian of  
JOSEF HESSE, et al.

Plaintiffs,

v.

CHARLES STEPHEN EBBETS, et al.

Defendants.

No. 1:07cv603 (LMB)

ORDER

For the reasons stated in open court and in the accompanying memorandum opinion, plaintiff Marcus Hesse's Motion for Summary Judgment [68] is DENIED, plaintiff Horst Schwinn's Motion for Partial Summary Judgment [71] is DENIED, defendant Long and Foster's Motion for Summary Judgment [65] is GRANTED, plaintiffs' oral motion for certification of this Order is DENIED, defendant Long and Foster's Motion Opposing Plaintiffs' Oral Request for Certification for Interlocutory Appeal [106] is GRANTED, and it is hereby

ORDERED that the defendant Long and Foster Real Estate, Inc., be and is DISMISSED from this civil action, and it is further

ORDERED that all discovery on the issue of plaintiffs' damages cease until further order of the Court, and that this matter proceed to a jury trial solely on the issue of defendant

Ebbets's liability, to be scheduled in the near future.

The Clerk is directed to forward copies of this Order and the accompanying Memorandum Opinion to counsel of record.

Entered this 20<sup>th</sup> day of December, 2007.

/s/ LMB  
Leonie M. Brinkema  
United States District Judge

Alexandria, Virginia